

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

J. MICHAEL CONSIDINE, JR.,

Plaintiff,

v.

JONATHAN J. JAGODINSKI,

Defendant.

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CIVIL ACTION NO. 13-7263

**ORDER**

**AND NOW**, this 9<sup>th</sup> day of April, 2015, after considering the defendant's motion for summary judgment (Doc. No. 55), the plaintiff's response in opposition to the defendant's motion for summary judgment (Doc. Nos. 62, 63), the plaintiff's motion for summary judgment (Doc. Nos. 59, 60), the defendant's response in opposition to the plaintiff's motion for summary judgment (Doc. No. 61), the plaintiff's reply (Doc. No. 65), and the defendant's surreply (Doc. No. 66); and after hearing oral argument from the parties; and after reviewing the complaint and the exhibits attached thereto (Doc. No. 1), it is hereby **ORDERED** as follows:

1. The defendant's motion for summary judgment (Doc. No. 55) is **GRANTED** and judgment is entered in favor of the defendant;
2. The plaintiff's motion for summary judgment (Doc. Nos. 59, 60) is **DENIED**; and
3. The Clerk of Court shall mark this case **CLOSED**.

BY THE COURT:

/s/ Edward G. Smith  
EDWARD G. SMITH, J.